CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

File Number: 11-A-02-UR Related File Number:

Application Filed: 9/23/2002 **Date of Revision:**

Applicant: ROBIN S. KUYKENDALL

Owner:



Suite 403 \bullet City County Building 4 0 0 M a i n S t r e e t Knoxville, Tennessee 37902 8 6 5 \bullet 2 1 5 \bullet 2 5 0 0 F A X \bullet 2 1 5 \bullet 2 0 6 8 w w w \bullet k n o x m p c \bullet o r g

PROPERTY INFORMATION

General Location: South side of Barbara Dr., northeast of Villa Rd.

Other Parcel Info.:

Tax ID Number: 49 H C 047 Jurisdiction: City

Size of Tract: 32501 square feet

Accessibility: Access is via Barbara Dr., a local street with an 18' pavement width within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Detached single-family residence

Surrounding Land Use:

Proposed Use: Attorney's office as a home occupation Density:

Sector Plan: North City Sector Plan Designation:

Growth Policy Plan: Urban Growth Area (Inside City Limits)

Neighborhood Context: The proposed home occupation is located in an area of established single-family homes.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 4504 Barbara Dr.

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1 (Single Family Residential)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

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SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge: Tom Brechko

Staff Recomm. (Abbr.): APPROVE the request for an attorney's office as a home occupation in the R-1 zoning district, subject

to the following 5 conditions:

Staff Recomm. (Full):

1. Adherence with all criteria described in the attached narrative (dated 9/23/02) submitted by Robin S. Kuykendall with the application.

2. No additional employees other than the one part-time secretary shall be permitted to work at the residence.

3. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

4. Meeting any applicable requirements of the Knoxville Department of Engineering.

5. Meeting any applicable requirements of the Knox County Health Department.

With the conditions noted above, this request meets all requirements of the R-1 zone, as well as other criteria for approval of an attorney's office as a home occupation under the Use-on-Review

requirements of the Zoning Ordinance.

The applicant is requesting Use-on-Review approval to operate a law office as a home occupation at the subject property which is zoned R-1. Based on materials submitted by the applicant, the law office will occupy 550 square feet of the house, which is less than 23% of the total square footage (2400 square feet). Sufficient parking can be provided in the existing driveway of the house, which is accessed from Barbara Dr., a local street. The applicant anticipates that client visits to the residence should not exceed 10 per week. One part-time secretary is employed by the practice, and a significant portion of her work is performed at her residence. There will be no change in the outside appearance of the house and premises, and the applicant has not requested approval of any signs.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE

- 1. The proposed home occupation will have minimal impact on local services since all utilities and access are already in place to serve this site.
- 2. The use as proposed will have little or no impact on the surrounding residential uses since there will be no change to the outside appearance of the residence and the small number of clients that will visit the site can be handled by the existing parking.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. The plan as presented meets all of the requirements of the Knoxville Zoning Ordinance for a home occupation. A lawyer's office is one of the home occupation uses specifically listed in the Ordinance.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

- 1. The Knoxville-Knox County General Plan states that in established neighborhoods, home occupations should not be of a nature or be so located as to deteriorate the quality of a residential neighborhood.
- 2. The Knoxville One-Year Plan identifies this property as Low Density Residential (LDR). The Plan states that home occupations should be strictly controlled with only those uses permitted which do not detract from the aesthetic quality or general function of residential uses.
- 3. Since the proposed home occupation will not change the outside appearance of the residence and the low volume of clients will not create any traffic congestion, the use will not have a detrimental impact on the adjoining residences. The lawyer's office as proposed conforms with the adopted plans.

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Comments:

MPC Action: Approved MPC Meeting Date: 11/14/2002

Details of MPC action:1. Adherence with all criteria described in the attached narrative (dated 9/23/02) submitted by Robin S. Kuykendall with the application.

2. No additional employees other than the one part-time secretary shall be permitted to work at the residence.

- 3. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
- Meeting any applicable requirements of the Knoxville Department of Engineering.
 Meeting any applicable requirements of the Knox County Health Department.

With the conditions noted above, this request meets all requirements of the R-1 zone, as well as other criterio for control of an atternation and a home accuration under the Line on Review

criteria for approval of an attorney's office as a home occupation under the Use-on-Review

requirements of the Zoning Ordinance.

Summary of MPC action: APPROVE the request for an attorney's office as a home occupation in the R-1 zoning district, subject

to the following 5 conditions:

Date of MPC Approval: 11/14/2002 Date of Denial: Postponements:

Date of Withdrawal: Withdrawn prior to publication?: ☐ Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action: Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Disposition of Case, Second Reading:

If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

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